

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SILVON SIMMONS,

NOTICE OF PARTIAL
MOTIOIN FOR SUMMARY
JUDGMENT

Plaintiff,

Case No.: 17-cv-6176

v.

JOSEPH M. FERRIGNO, II, SAMUEL GIANCURSIO,
MARK WIATER, CHRISTOPHER MUSCATO,
ROBERT WETZELL, MICHAEL CIMINELLI, JOHN
DOES 1-20, CITY OF ROCHESTER,
SHOTSPOTTER INC., SST, INC., JOHN DOES 21-30
and PAUL C. GREENE,

Defendants.

Defendants move this Court pursuant to Local Rule 56(a) for partial summary judgment of some of the causes contained in the Amended Complaint in the above entitled action; specifically, the City seeks summary judgment on the Court dismiss the Third, the remainder of the Seventh Cause of Action, Eighth and Ninth Causes of Action, granting of Qualified Immunity to officers Ferrigno and Giancursio as to the First Cause of Action for False Arrest in Plaintiff's Amended Complaint and granting such other and further relief as is proper.

In support of this Motion the Court is referred to the Attorney Declaration of John M. Campolieto, Esq., with the Amended Complaint attached, Memorandum of Law, the Affidavits of Mark Wiater, Robert Wetzel and Christopher Muscato and attached Exhibits A-L, submitted herewith and made part of this Motion.

DATED: December 22, 2022 LINDA S. KINGSLEY, CORPORATION COUNSEL

/s/John M. Campolieto

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